

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/653,163	MIKITANI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	IGOR BORISSOV	3628	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview Summary of 5/14/2012.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 1-4,6,8,9,11-13,16,17 and 19-26.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 5/14/2012.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
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| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date ____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date ____.</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other ____.</li> </ol> |
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/IGOR BORISSOV/  
Primary Examiner, Art Unit 3628

### ***Response to Amendment***

Amendment received on 04/03/2012 is acknowledged and entered. Claims 5, 7, 10, 14-15, and 18 have been canceled. Claim 11 has been amended. Claims 1-4, 6, 8-9, 11-13, 16-17 and 19-26 are currently pending in the application.

### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(2) because the English alphabet has not been used for letters. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application.

Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d).

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a personal interview with an Applicant's Representative Brian K. Dutton, Esq. (Reg. No.: 47,255) on Monday, 5/14/2012.

The application has been amended as follows:

IN THE CLAIMS

1. (Previously presented) A lottery system utilizing an electronic mail, comprising:

storing means for storing information of customers;

means for limiting the customers stored in the storing means in advance so as to specify particular participants for a lottery;

means for uniquely allocating a reply electronic mail address to each of said specified participants, so that said reply electronic mail addresses are different from each other;

means for sending a first electronic mail to each of said participants, in which the reply electronic mail address is affixed as a unique access key to each of said participants;

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means for recognizing an application for the lottery from each of said participants by receiving a second electronic mail sent back to said reply electronic mail address; and

means for notifying each one of said participants who sent back the second electronic mail to the reply electronic mail address of the result of said lottery.

2. (Previously presented) The lottery system according to claim 1, wherein the result of said lottery is obtained by a drawing performed when the participant applies for said lottery.

3. (Previously presented) The lottery system according to claim 1, wherein the result of said lottery is previously decided before said electronic mail is sent.

4. (Previously presented) The lottery system according to claim 1, wherein recognition of the participant for said lottery is performed based on said reply electronic mail address of each of said participants.

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5. (Canceled)

6. (Previously presented) The lottery system according to claim 1, wherein the notifying means notifies the result of said lottery to each of the participants, by sending a third electronic mail in which a URL of a page informing of the result and an access keyword, are affixed, to each of the participants.

7. (Canceled)

8. (Previously presented) The lottery system according to claim 6, wherein the URL of the page informing of said result is separated into one for a win of a prize and the other for a failure in winning the prize.

9. (Previously presented) The lottery system according to claim 6, wherein by entering said access keyword and a destination electronic mail address to which the third electronic mail is sent, into the page informing of said result, the page for the win of the prize or the page of the failure in winning the prize can be accessed.

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10. (Canceled)

11. (Previously presented) A lottery system utilizing an electronic mail, comprising:

storing means for storing information of customers;

means for limiting the customers stored in the storing means in advance so as to specify particular participants for a lottery;

means for uniquely allocating a keyword to be entered in a page of a URL, to each of the participants so that the keywords are different from each other;

means for sending an electronic mail in which the keyword is affixed as a unique access key, to each of the participants;

means for recognizing an application from each of said participants when said participant accesses the page of said URL and enters the keyword; and

means for notifying each of said participants of the result of the lottery,

wherein the keyword is a destination mail address of said electronic mail.

12. (Previously presented) The lottery system according to claim 1,

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wherein data of said participants who applied for the lottery is collected and stored.

13. (Previously presented) The lottery system according to claim 1, wherein said lottery system is entirely incorporated into a computer system.

14-15. (Canceled)

16. (Currently amended) A ~~method~~ system for conducting a lottery, the system comprising:

a database and a server, the sever being configured to: ~~the steps of:~~

~~storing~~ store information of customers in ~~[[a]]~~ the database;

~~limiting~~ limit the customers stored in the database in advance so as to specify particular participants for ~~[[a]]~~ the lottery;

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~~allocating~~ allocate uniquely a reply electronic mail address to each of said specified participants so that the reply electronic mail addresses are different from each other;

~~sending by a host~~ send a first electronic mail in which the reply electronic mail address is affixed as a unique access key to each one of a plurality of said specified participants;

~~recognizing~~ recognize said specified participants for ~~[[a]]~~ the lottery by receiving a second electronic mail sent back to said reply electronic mail address from each of said participants;

~~conducting~~ conduct said lottery; and

~~notifying~~ notify each one of the participants who sent back the second electronic mail of their result of said lottery.

17. (Previously presented) A lottery system utilizing an electronic mail, comprising:

storing means for storing information of customers;

means for limiting the customers stored in the storing means in advance so as to specify particular participants for a lottery;



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means for uniquely allocating a URL to each of said participants so that the URLs are different from each other;

means for sending an electronic mail in which the URL is affixed as a unique access key to each of the participants;

means for recognizing an application from each of the participants when the participant accesses a page of the URL and enters an electronic mail address of the participant; and

means for notifying each of said participants of the result of said lottery.

18. (Canceled)

19. (Previously presented) A lottery system utilizing an electronic mail, comprising:

storing means for storing information of customers;

means for limiting the customers stored in the storing means in advance so as to specify particular participants for a lottery;

means for providing at least one electronic mail address;

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means for allocating uniquely the at least one electronic mail address to each one of the specified participants so that the electronic mail addresses are different from each other;

means for sending by a host a first electronic mail to each one of the specified participants, wherein the uniquely allocated at least one electronic mail address is affixed to the first electronic mail;

means for receiving a second electronic mail sent from each one of the specified participants to the uniquely allocated at least one electronic mail address, so as to recognize the participants;

means for conducting the lottery; and

means for notifying each one of the recognized participants who sent the second electronic mail, of a result of the lottery.

20. (Currently amended) A ~~method~~ system for conducting a lottery, the system comprising:

a database and a sever, the server being configured to: ~~the steps of:~~

~~storing~~ store information of customers in ~~[[a]]~~ the database;

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~~limiting~~ limit the customers stored in the database in advance so as to specify particular participants for the lottery;

~~providing~~ provide at least one electronic mail address;

~~allocating~~ allocate uniquely the at least one electronic mail address to each one of the specified participants so that the electronic mail addresses are different from each other;

~~sending by a host~~ send a first electronic mail to each one of the specified participants, wherein the uniquely allocated at least one electronic mail address is affixed to the first electronic mail;

~~receiving~~ receive a second electronic mail sent from each one of the specified participants to the uniquely allocated at least one electronic mail address, so as to recognize the participants;

~~conducting~~ conduct the lottery; and

~~notifying~~ notify each one of the recognized participants who sent the second electronic mail, of a result of the lottery.

21. (Previously presented) A lottery system utilizing an electronic mail comprising:

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recording means for recording information concerning customers, each of which has an electronic mail address;

means for limiting the customers in advance so as to specify a main group for performing a lottery, said main group being defined by at least one of the customers;

means for issuing a unique access key to be affixed to said electronic mail address of each of said participants of said main group;

means for assigning said unique access key to said electronic mail address to generate a reply electronic mail address for the lottery after specifying said main group for the lottery;

means for recording said unique access key in association with said electronic mail address of each of said participants of said main group;

means for sending by a host a first electronic mail to said reply electronic mail address of each of said participants of said main group, in which said unique access key is affixed to said reply electronic mail address of each of said participants of said main group;

means for recognizing an application for the lottery from each of said participants by receiving a second electronic mail sent back to said reply electronic mail address;

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means for distinguishing said access key with reference to said means for recording said unique access key;

means for conducting the lottery; and

means for notifying each one of said participants who sent back said second electronic mail to said reply electronic mail address, of the result of said lottery.

22. (Previously presented) The lottery system according to claim 21, wherein a result of said lottery is obtained by a drawing performed when said participant applies for the lottery.

23. (Previously presented) The lottery system according to claim 22, wherein said drawing is performed on the basis of the number of said participants of said main group.

24. (Previously presented) The lottery system according to claim 22, wherein said means for conducting the lottery generates random number on the

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basis of the number of said participants of said main group, thereby obtaining the result of said lottery.

25. (Previously presented) The lottery system according to claim 21, wherein said lottery system further comprising means for recording a result of the lottery; wherein the result of said lottery is previously decided on the basis of the number of said participants of said main group before sending said electronic mail, and wherein said means for conducting the lottery includes means for confirming said unique access key with reference to said means for recording the result of the lottery when receiving said second electronic mail.

26. (Previously presented) The lottery system according to claim 25, wherein said means for conducting the lottery generates random number on the basis of the number of said participants of said main group, thereby deciding the result of the lottery.

**Allowable Subject Matter**

Claims 1-4, 6, 8-9, 11-13, 16-17 and 19-26 are allowed.

The following is an examiner's statement of reasons for allowance:

BPAI has reversed Claim Rejections under 35 USC 103 of claims 1-4, 6, 8-13, and 16-26, and affirmed Claim Rejections under 35 USC 103 of claims 10 and 18 on 03/05/2012. Subsequent to BPAI decision, Applicant canceled claims 10 and 18, and amended claim 11.

Therefore, in accordance with MPEP 1214.04, claims 1-4, 6, 8-9, 11-13, 16-17 and 19-26 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reason for Allowance".

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 571-272-6801. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Igor N. Borissov/  
Primary Examiner, Art Unit 3628  
5/14/2012